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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,405	01/31/2002	Yuki Aoyama	16869N-041900US	3749
20350	7590	12/22/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			BLACKWELL, JAMES H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,405

Applicant(s)

AOYAMA ET AL.

Examiner

James H Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 4 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/31/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5-6, and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. (hereinafter Johnson, U.S. Patent No. 5,813,009).

In regard to independent Claim 1 (and similarly independent Claims 5, 9, and 11), Johnson teaches a computer based records management system (*a document management means*) comprising an information filter for assuring that record data units offered to the system for storage (*an accumulation means*) are complete and not redundant. Record data units accepted for the system entry are acknowledged and preferably tagged to enable tracking and forwarded for unit verification and certification. Once a unit is found to be compliant with preset criteria, the unit is stored in permanent storage (*document is accumulated*) along with a disposal schedule determined for that unit (see Abstract). Johnson also teaches that version management is used to control/reduce multiple iterations of electronic data which may be resident within an organization, across applicable hardware and software platforms and physical and geographical locations (*a version control means that manages version control information for the accumulation that assigns a version to a prepared transaction document*) (Col. 6, lines 15-19). Johnson also teaches that outbound information or

Art Unit: 2176

record data units may consist of processed data files, such as EDI data streams produced by business applications 5 (*an EDI means that creates and sends EDI data for an electronic transaction*) (Col. 13, lines 41-43). It may also consist of information produced at a specific user workstation 7 (e.g., text files, images faxed, etc.), which is considered by the organization or user to be important to the business of the enterprise and therefore, important to be tracked (Col. 13, lines 43-47). Johnson also teaches an information filtering process (*a linkage means that links the document management means and the EDI means*), which occurs prior to verification/certification. During information filtering, incomplete or redundant units are identified and such units, for example, may be acknowledged or forwarded for special handling or the like. Information filtering may serve to route input record data units to designated destinations. Preferably, data units passed on for verification/certification are tagged to enable tracking of units through the system, for example, for subsequent auditing (Col. 5, lines 9-18). Johnson also teaches that the filter determines which coded information is maintained for validation, processing, retention, retrieval, information collection and dissemination and ultimate disposal for a single or multiple organization units (*registers sending information of the EDI data in the version control information of the relevant transaction document*) (Col. 10, lines 26-30). Johnson also teaches that the filter attaches to incoming records a tag (i.e., envelope, pointer or reference entry prior to application processing) which can be associated with a database in order to track the source, destination, version, storage location(s) and retention data associated with the record. Where information does not enter the filter, e.g., scanned input, appropriate tag

Art Unit: 2176

(or tracking) information is added during the verification/certification process. For internally created information, created either at the individual workstation or by business applications, information considered to be important for saving may be sent to the filter for tagging, prior to being released either internally for further handling, or externally to trading partners, etc. Where no further handling other than verification/certification is required, such information may be routed directly to the verification/certification module for operator handling. In either case, incomplete information is trapped and sent to hold area 4 and held for input of the necessary processing information by the Records Manager or other designated individual (*when the accumulated transaction document and the version are selected and attached to the EDI data, then the EDI data is sent*) (Col. 10, lines 30-49).

In regard to dependent Claim 2 (and similarly dependent Claims 6, and 10), Johnson teaches that outbound information or record data units may consist of processed data files, such as EDI data streams produced by business applications (5) (Col. 13, lines 41-43; compare with Claim 2 (and similarly Claims 6, and 10), “... ***the EDI means comprises a means for receiving EDI data***”). Johnson also teaches that the filter determines which coded information is maintained for validation, processing, retention, retrieval, information collection and dissemination and ultimate disposal for a single or multiple organization units (Col. 10, lines 26-30). Johnson also teaches that the filter attaches to incoming records a tag (i.e., envelope, pointer or reference entry prior to application processing) which can be associated with a database in order to track the source, destination, version, storage location(s) and retention data associated

with the record. Where information does not enter the filter, e.g., scanned input, appropriate tag (or tracking) information is added during the verification/certification process. For internally created information, created either at the individual workstation or by business applications, information considered to be important for saving may be sent to the filter for tagging, prior to being released either internally for further handling, or externally to trading partners, etc. Where no further handling other than verification/certification is required, such information may be routed directly to the verification/certification module for operator handling. In either case, incomplete information is trapped and sent to hold area 4 and held for input of the necessary processing information by the Records Manager or other designated individual (*when the accumulated transaction document and the version are selected and attached to the EDI data, then the EDI data is sent*) (Col. 10, lines 30-49). Johnson also teaches that the Filter (3) also checks incoming information for redundancy with currently archived records (e.g., whether a record with the same index criteria and date/time stamp data has already been archived) and determines whether potentially redundant information is identified as replacement data intended to overlay the existing file. Redundancy (and potential for information resent from the source) is detected by accessing the central ILM database 13 and system audit file 9. Where redundancy is detected, the record (e.g., file) is deleted from the processing stream and sent to hold area 4. The deletion and the potential redundancy are then reported to the Records Manager or other central facility for resolution and for audit purposes (Col. 9, lines 66-67; Col. 10, lines 1-11). So if the version is a duplicate of something already in the system, it is ultimately removed,

otherwise it is received and given a version number, timestamp, etc. Compare with Claim 2 (and similarly Claims 6, and 10), “... ***the linkage means, when a transaction document is attached to the received EDI data and the transaction document that corresponds to the attached document is already managed by the document management means accumulates the attached document as the latest version of the relevant transaction document***”). Johnson also teaches that filter (3) further verifies whether information has previously been processed by the enterprise applications or is still to be processed or received by the destination address (***first version of a new document***). Where the information has yet to be processed or received, the filter first verifies the information integrity and then returns any necessary acknowledgments to the source, logs the receipt of the information and routes the information to the proper destination, e.g., business applications 5 or user workstation 7. The filter also reviews the priority assigned to the incoming records (from an internally maintained table or by reading a priority indicator received with the incoming data) to ensure timely processing of priority information. Priority records, which require processing, are forwarded with the appropriate priority processing indicator or flag (Col. 10, lines 12-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2176

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson.

In regard to dependent Claim 3 (and similarly dependent Claim 7), Johnson teaches that operator intervention is required where error conditions are detected during the filter, audit, special handling, data buffering, ILM capture or database update operations which require manual intervention. Errors occurring outside system boundaries (e.g., within business applications, user workstations or backup processes) should be monitored and corrected within those processes, but may be detected by the ILM capture module (Col. 14, lines 58-65; compare with Claim 3 (and similarly Claim 7), ***"... the linkage means deletes the sending information of the EDI data from the version control information when a sending error occurs, or sending is disabled in the EDI data sent by the EDI means"***). Johnson does not specifically teach that the filter (*linkage means*) deletes information found to be in error (*document received incomplete, scrambled or otherwise in error*), but instead passes it along for further scrutiny. It is at this point that it would have been obvious to one of ordinary skill in the art at the time of invention that Johnson would have been able to determine a course of action based on any error that occurred, whether the document be deleted, resent, repaired, etc. The point is, that the information would only be allowed into the system if it were correct and complete. The benefit would have been to eliminate corrupted data from entering the system.

Claim Objections

Claims 4, and 8 are objected to under 37 CFR 1.75(c) as being in improper form because multiple dependent claims 4, and 8 cannot depend on another multiple dependent claims 3, and 7. See MPEP § 608.01(n). Accordingly, claims 4, and 8 have not been further treated on the merits.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6,148,312	715/530	11/14/2000
6,289,460	713/200	09/11/2001
6,360,252	709/206	03/19/2002


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
12/08/04


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER